

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

_____	)	
UNITED STATES OF AMERICA	)	Case No.: 04-10231-MLW
	)	
v.	)	
	)	
MICHAEL R. O'NEILL	)	
_____	)	

Motion to Continue

Now comes the defendant, Michael R. O'Neill, by and through his attorney, Joseph S. Oteri, and respectfully requests that this honorable court continue the status conference scheduled for 3:00 p.m. on Thursday, June 15, 2006, until some date in the future and gives as his reasons therefore the following:

1. Counsel for the defendant has recently been diagnosed with kidney problems. Counsel has a renal scan scheduled for Thursday, June 15, 2006, at 1:30 p.m. and will not be available for a court appearance on this date. Counsel learned of this appointment after a visit with his doctor on June 8, 2006. Counsel's doctor insists that this scan be done as soon as possible, for medical reasons;
2. Counsel has notified the Assistant United States Attorney of his situation;
3. Counsel will arrange to be represented at the status conference by Attorney Roger Witkin;
4. Counsel contacted Dennis O'Leary, Court Clerk, at 9:00 a.m., on June 9, 2006, to make him aware of his situation, and was told for the first time that the court expected defendant O'Neill to enter a plea on June 15, 2006; and

5. Counsel will be available to enter a Plea for defendant O'Neill on June 12, 13, or 14, 2006. Counsel has medical appointments scheduled on June 15, 2006, and will be out of the state from June 16, 2006, through June 20, 2006. Counsel will be in the Superior Court in Worcester on Wednesday, June 21, 2006. Counsel has a status conference in the Federal Court on June 27, 2006, at 11:00 a.m. and a sentencing in Federal court on June 29, 2006, at 2:15 p.m., but is available at all other times in the month of June.

Wherefore Counsel respectfully requests this honorable court either excuse him from the status conference on June 15, 2006, or schedule either a status conference or a Plea session at another time at the court's convenience.

Respectfully submitted,  
By his attorney:

/s/Joseph S. Oteri  
Joseph S. Oteri  
Oteri & Lawson, P.C.  
20 Park Plaza, Suite 905  
Boston, MA 02116  
617-227-3700

Date: June 9, 2006

#### CERTIFICATE OF SERVICE

I, Joseph S. Oteri, hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on June 9, 2006.

/s/Joseph S. Oteri  
Joseph S. Oteri